IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

PRESENT:
THE HON'BLE SMT JUSTICE T.MEENA KUMARI
&
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO :571 of 2007

DATED:7.8.2007.

Between:
V.R.Surenderbabu

.....PETITIONER

AND

The Superintending Engineer, I & CAD Dept.,
J.Chokkarao Godavari Lift Irrigation Project
Circle, Chintagattu, Warangal & 5 others

.....RESPONDENTS

THE HON'BLE SMT JUSTICE T.MEENA KUMARI
&
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO:571 OF 2007

ORDER: (Per the Honourable Smt.Justice T.Meenakumari)

This writ petition is filed by the petitioner seeking to declare the proceedings No:ES/S1/EC3/94/2444/49/S, dated 7.12.2006 and proceedings No:ES/S1/EC3/95/2450/55/S, dated 7.12.2006 issued by the 1st respondent as illegal and contrary to the orders passed by the Tribunal in O.A.No:347 of 2005, dated 19.1.2005 filed by the petitioner as well as the orders dated 17.10.005 in O.A.No:6381 of 2005 filed by the 5th respondent herein and set aside the same or in the alternative, to suspend the proceedings in ES/S1/EC3/94/2444/49/S, dated 7.12.2006 and ES/S1/EC3/95/2450/55/S, 7.12.2006 pending disposal of O.A.7406 of 2006 by the tribunal.

While admitting the writ petition on 5.1.2007, a Division Bench of this Court has issued the interim suspension of the proceedings impugned in the O.A.

The petitioner is the applicant. On the O.A.7406 of 2006 filed by the applicant, the tribunal has issued notice to the respondents. At this stage, the applicant has approached this Court. The notice itself, which is nothing but affording an opportunity to the other side to rebut the allegations, cannot be construed as an order to maintain the present writ petition. Apart from that, the relief that is sought for in

the O.A.7406 of 2006 and the relief that is sought for in this writ petition, is one and the same. Therefore, the opinion, if any expressed by this Court at this stage of the proceedings, may be subjudice to the proceedings pending before the tribunal.

In the circumstances of the case, without expressing any opinion on the merits of the case, We feel it appropriate to direct the tribunal to dispose of the O.A. within a period of eight (8) Weeks from the date of receipt of a copy of this order. It is also made clear that the interim suspension granted by this Court shall continue till such disposal of the O.A.

Subject to the above direction, this W.P. is disposed of. No order as to costs.

(JUSTICE T.MEENAKUMARI)

Date:7th August, 2007

(JUSTICE G.CHANDRAIAH)

gurc/nn

THE HON'BLE SMT. JUSTICE T.MEENA KUMARI
&
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

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WRIT PETITION NO:571 of 2007

(Order delivered by the Honourable Smt.Justice T.Meena Kumari)

7th August, 2007.